



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON, D.C. 20370-5100

ELP  
Docket No. 4335-00  
13 November 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 3 August 1979 for six years at age 18. You were ordered to active duty on 13 August 1979 for a period of 36 months in the Active Mariner Program. During the eight month period from January to August 1980 you received three nonjudicial punishments (NJP) for two instances of failure to obey a lawful order or regulation, three instances of failure to go to your appointed place of duty, disobedience, and dereliction of duty. Thereafter, you served without further incident and were advanced to FN (E-3). On 12 August 1982 you were released from active duty under honorable conditions and transferred to the Naval Reserve. You received a general discharge upon completion of your military obligation on 6 August 1985.

Character of service is based, in part, on military behavior and overall traits averages which are computed from marks assigned during periodic evaluations. Your military behavior and overall trait averages were 2.6 and 3.1, respectively. A minimum mark of

3.0 was required in military behavior for a fully honorable characterization of service at the time of your discharge.

In its review of your application the Board carefully weighed all potentially mitigating factors such as your youth and immaturity and the fact that it has been more than 15 years since you were discharged. The Board concluded that these factors were insufficient to warrant recharacterization of your discharge given your record of three NJPs and failure to achieve the required average in military behavior. The Board concluded that the discharge was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director